

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Jeffrey Henry

SUMMONS IN A CIVIL ACTION

V.

City of New York, Sean McCarthy, Jose Arenas,  
Brian Taylor, Jason Rubenstein, Donna Gaudino

CASE NUMBER:

07 CV 11117

TO: (Name and address of Defendant)

Police Officer Jose Arenas  
c/o NYPD  
17 Precinct  
167 East 51st Street  
New York, NY

JUDGE SAND

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Leventhal & Klein, LLP  
45 Main Street, Suite 230  
Brooklyn, NY 11201

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

*Manoel Quintero*

(By) DEPUTY CLERK

DATE

DEC 07 2007

AO 440 (Rev. 8/01) Summons in a Civil Action

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 12/27/07
NAME OF SERVER (PRINT) Byron E. McElkerny	TITLE Process Server

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☒ Other (specify): Left with a co-worker, Lt. Napoli, clo the 17th Precinct. (M, W, Br, 47, 5'7, 150)

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
--------	----------	--------------

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 01/02/08  
Date

X  
Signature of Server

Byron E. McElkerny, Lic. # 869802

165 E. 197 St. #2G, Bronx, NY 10463  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.